

**MEMO ENDORSED**

PETER L. BERGER  
JANE B. LINOWITZ  
JONATHAN BERGER  
TUVIA ROTBERG

DAVID COWAN  
TECHNICAL CONSULTANT

LEVISOHN BERGER LLP  
11 BROADWAY, SUITE 615  
NEW YORK, NEW YORK 10004

TEL: (212) 486-7272

FAX: (212) 486-0323

WEBSITE: WWW.LLBL.COM

PATENTS,  
TRADEMARKS  
AND COPYRIGHTS

E-MAIL TO ATTORNEY:  
FIRST INITIAL AND  
LAST NAME OF  
ATTORNEY@LLBL.COM

The application is

☒ granted  
☐ denied

November 13, 2013

 11/14/13  
Nelson S. Roman, U.S.D.J.

Dated: Nov. 14, 2013

White Plains, New York 10601

**VIA FAX**

Honorable Nelson S. Roman  
United States District Court Judge  
Federal Building and United States Courthouse  
300 Quarropas St.  
White Plains, NY 10601

Defendant Granted extension of time to  
answer or seek leave to move to ~~the~~  
Complaint until Jan. 6, 2014.  
*(to the respond)*

RE: CDx Diagnostics, Inc. and Shared Medical Resources, LLC v. US  
Endoscopy Group, Inc. (Case No. 13-5669 S.D.N.Y.) (NSR)

Dear Judge Roman,

Our firm, Levisohn Berger, LLP, represents CDx Diagnostics, Inc. and Shared Medical Resources, LLC in the above-captioned matter. In accordance with your Honor's Individual Practices in Civil Cases, Plaintiffs and Defendant jointly request a third extension of time to answer or otherwise respond to the complaint. A first request for extension of time was granted on September 9, 2013 and a second request for extension of time was granted on October 11, 2013. Pursuant to the second request granted on October 11, 2013, the answer date is currently set for to November 20, 2013. The parties respectfully request a third extension, extending the time to answer or otherwise plead to January 6, 2014. All parties consent to this request.

The parties have met for settlement negotiations and they need additional time for further settlement discussions. The parties are set to meet again in mid-November for continued discussions.

USDC SDNY  
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Respectfully submitted,  
LEVISOHN BERGER, LLP

  
Tuvia Rotberg

cc: Mathew Scott Hyner, Esq.  
Todd Tucker, Esq.